



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Applicant:

Frederick J. Cooper et al.

Serial No.: 09/430,282

Filed: October 29, 1999

For: Controlling Processor-Based
Systems Using A Digital Camera

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Art Unit: 2621

Examiner: P. Tran

Atty Docket: ITL.0258US
P7494

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Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BRIEF TRANSMITTAL

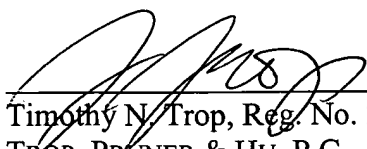
Sir:

Transmitted herewith in triplicate is the Reply Brief in this application with respect to the Notice of Appeal filed on March 28, 2003.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1504. A duplicate copy of this sheet is enclosed.

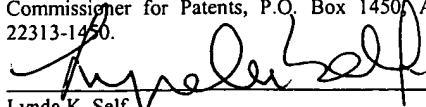
Respectfully submitted,

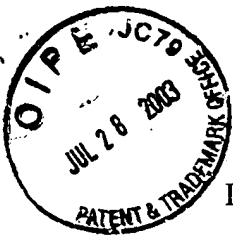
Date: 7/24/03


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Date of Deposit: July 24, 2003

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Board of Patent Appeals & Interferences, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Lynda K. Self



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REPLY TO EXAMINER'S ANSWER

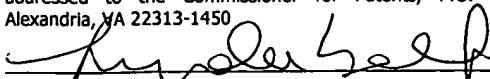
In response to the Answer mailed July 15, 2003, the Applicants hereby address the new points raised by the Examiner.

With respect to claim 20, for the first time on Appeal, the Examiner relies on so-called well known art. Presumably, it is much too late to now rely on well known art, but to the extent that such reliance is appropriate at this time, the Applicants hereby challenge the Examiner to cite a reference in support.

Even if Choi and Ye could be combined, they still would use motion, not luminance to control the power consumption state. Luminance need not correlate in any known way to the need to control power consumption state. Neither reference teaches any reason to believe any such correlation exists.

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Lynda K. Self

The combination of Choi and Ye could only control based on motion, not on luminance. Luminance can be high with no motion. For example, a bright light on in a room with no one in the room would have high luminance and no motion. Conversely, motion can be high with no luminance. Activity in the room may be high, but there may be no light.

Thus, there is no clear correlation between luminance and motion. The reference that teaches controlling based on motion simply does not suggest controlling power consumption state based on luminance. Therefore, the rejection should be reversed.

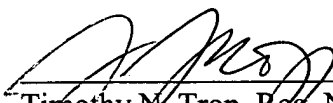
While other arguments were made with respect to the other pending claims, it is believed that the above remarks apply equally well to each of those rejections.

In view of this reply, it is respectfully submitted that the rejections should be reversed.

Respectfully submitted,

Date:

7/24/03



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